IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3172 OF 2004

IN

SUIT NO.1382 OF 1996

1.Rameshkumar Amritlal Mehta
and another. ...Plaintiffs

vs.

1.Industrial Services
and others. ...Defendants.

And

1. Azizur Rehman Faiz & others. ...Applicants.

And

1.The Court Receiver,
High Court, Bombay & another. ...Respondents.

Mr.Sanjay Jain i/b. M/s.Zohair & Co., for Plaintiffs.

Mr.B.B.Saraf i/b. Kadam & Co., for Applicant in support.

CORAM: D.K.DESHMUKH,J.

DATED: 18th April,2007

P.C.:-

1. This is a notice of motion taken out by a person who are not the parties to the civil suit, for recalling of order dated 22.9.2004 passed by this Court in notice of motion no.2128 of 2004. It is common ground that the Court by that order directed the Court Receiver to get the boundaries of the suit property fixed with reference to revenue record and with the help of the City Survey officer of the Revenue department. It appears from the report of the Court Receiver dated 28.3.2007 that pursuant that order, the Receiver got the boundaries marked by the City Survey officer and the map prepared by the City Survey officer is annexed to that report. It is thus clear that the order dated 22.9.2004 has been fully implemented, and therefore, there is no question of recalling that order. The notice of motion is therefore, disposed of.